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Counsel to the Debtors and
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

- - - - - x
In re: : Chapter 11
:
CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH)
et al., :
:
Debtors. : Jointly Administered
- - - - - x

**ORDER GRANTING DEBTORS' SECOND MOTION
PURSUANT TO BANKRUPTCY CODE SECTIONS 105 AND 502(C) AND
BANKRUPTCY RULE 3018 TO TEMPORARILY ALLOW CERTAIN PERSONAL
INJURY AND WRONGFUL DEATH CLAIMS IN THE AMOUNT OF \$0.00
SOLELY FOR PURPOSES OF VOTING ON THE PLAN**

Upon the Debtors' Second Motion Pursuant To

Bankruptcy Code Sections 105 And 502(c) And Bankruptcy Rule

3018 To Temporarily Allow Certain Personal Injury Tort And

Wrongful Death Claims In The Amount Of \$0.00 Solely For

Purposes Of Voting On The Plan (the "Motion"),¹ which requested that the Claims identified on Exhibit A be temporarily allowed in the amount of \$0.00 each for those reasons set forth in the Motion; and it appearing that due and proper notice and service of the Motion as set forth therein was good and sufficient and that no other further notice or service of the Motion need be given; and it appearing that the relief requested in the Motion is in the best interest of the Debtors, their estates and creditors and other parties-in-interest; and after due deliberation thereon and good and sufficient cause appearing therefore,

IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

1. The Motion is GRANTED.
2. Each of the Claims set forth on Exhibit A shall be temporarily allowed for voting purposes only in the amount of \$0.00 each.
3. Each Claimant shall be entitled to vote on the Plan in the class set forth on Exhibit A; provided, further, that each Claimant that casts a ballot voting on the Plan shall have their Claim counted for purposes of numerosity under Bankruptcy Code § 1126(c) only.

¹ Capitalized terms not defined herein shall have the meanings ascribed to such terms in the Motion.

4. The Debtors right to object to any and all claims, including (without limitation) the Claims, for allowance and/or distribution purposes, and on any other available grounds applicable law permits is expressly preserved.

5. Pursuant to Local Bankruptcy Rule 9013-1(G), the Debtors request that the requirement that all motions be accompanied by a written memorandum of law be waived.

6. This Court shall retain jurisdiction to hear
and determine all matters arising from or related to
implementation or interpretation of this Order.

Dated: Richmond, Virginia
September ____, 2009

HONORABLE KEVIN R. HUENNEKENS
UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

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/s/ Douglas M. Foley
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Counsel to the Debtors
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CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

 /s/ Douglas M. Foley
Douglas M. Foley

EXHIBIT A